

SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SECOND GENERAL ASSEMBLY

11TH LEGISLATIVE DAY

TUESDAY, MARCH 6, 2001

1:00 O'CLOCK P.M.

No. 11
[Mar. 6, 2001]

The Senate met pursuant to adjournment.
 Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.
 Prayer by Reverend Jonathan Grubbs, First Church of God,
 Springfield, Illinois.
 Senator Radogno led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, February 28, 2001, was being read when on motion of Senator W. Jones further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, March 1, 2001, was being read when on motion of Senator W. Jones further reading of same was dispensed with and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

A report covering activities for the fiscal year ended June 30, 2000, submitted by the Illinois Housing Development Authority pursuant to Illinois Compiled Statutes, Chapter 20, Paragraph 3805/5.

The Annual Report for the period January 1, 2000, through December 31, 2000, submitted by the Illinois Farm Development Authority.

A report of flexible work requirements submitted by the Department of Commerce and Community Affairs as required in Public Act 87-552.

The Annual Report Summary, January 2001, submitted by the Department of Central Management Services pursuant to the Illinois Procurement Act.

A report on the plan to reduce the need for day care of employees' children outside the home submitted by the Illinois Criminal Justice Information Authority in accordance with Public Act 87-552.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURE FILED

The following floor amendment to the Senate Bill listed below has been filed with the Secretary, and referred to the Committee on Rules:

Senate Amendment No. 2 to Senate Bill 368

REPORTS FROM STANDING COMMITTEES

Senator Madigan, Chairperson of the Committee on Insurance and
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Pensions to which was referred Senate Bills numbered 130, 131, 132, 314, 463, 479, 849, 864, 865, 866, 869, 870, 941, 1174, 1244, 1245, 1246, 1247, 1248, 1251, 1252, 1255, 1256 and 1505 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Madigan, Chairperson of the Committee on Insurance and Pensions to which was referred Senate Bills numbered 333, 452 and 867 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Dillard, Chairperson of the Committee on Local Government to which was referred Senate Bills numbered 664, 787, 915, 980, 989, 1113 and 1506 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Dillard, Chairperson of the Committee on Local Government to which was referred Senate Bills numbered 385, 400 and 687 reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

Under the rules, the bills were ordered to a second reading.

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred Senate Bills numbered 286, 396, 842 and 1329 reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Syverson, Chairperson of the Committee on Public Health and Welfare to which was referred Senate Bill No. 155 reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

EXCUSED FROM ATTENDANCE

Senator Maitland was excused from attendance due to illness.

On motion of Senator Demuzio, Senator Smith was excused from attendance due to personal business.

INTRODUCTION OF A BILL

SENATE BILL NO. 1523. Introduced by Senator Cronin, a bill for AN ACT in relation to public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 68

Offered by Senator Link and all Senators:

Mourns the death of Francis Gambro of Buffalo Grove.

The foregoing resolution was referred to the Resolutions Consent

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Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

A message from the House by
Mr. Rossi, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 15

Concurred in by the House, March 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

A message from the House by
Mr. Rossi, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 215

A bill for AN ACT concerning counties.

HOUSE BILL NO. 478

A bill for AN ACT in relation to public employee benefits.

HOUSE BILL NO. 638

A bill for AN ACT concerning the Department of Children and Family Services.

HOUSE BILL NO. 978

A bill for AN ACT in relation to criminal law.

Passed the House, March 1, 2001.

ANTHONY D. ROSSI, Clerk of the House

The foregoing House Bills numbered 215, 478, 638 and 978 were taken up, ordered printed and placed on first reading.

At the hour of 1:13 o'clock p.m., Senator Watson presiding.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES

A FIRST TIME

House Bill No. 61, sponsored by Senators Dillard - L. Walsh was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 208, sponsored by Senator Noland was taken up, read by title a first time and referred to the Committee on Rules.

House Bill No. 442, sponsored by Senator Lauzen was taken up, read by title a first time and referred to the Committee on Rules.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Luechtefeld, Senate Bill No. 103 having been printed, was taken up, read by title a second time and ordered to a

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third reading.

On motion of Senator Luechtefeld, Senate Bill No. 104 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 104 as follows:
on page 2, by replacing line 8 with the following:
"this Act, provided, however, that a petition shall not be authorized under this Act for the mining and removal of coal by the surface method of mining unless all of the owners of the surface consent to the mining and removal of coal by the surface method of mining.".

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Burzynski, Senate Bill No. 129 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 129 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing and Advanced Practice Nursing Act is amended by changing Section 10-30 as follows:

(225 ILCS 65/10-30)

Sec. 10-30. Qualifications for licensure.

(a) Each applicant who successfully meets the requirements of this Section shall be entitled to licensure as a Registered Nurse or Licensed Practical Nurse, whichever is applicable.

(b) An applicant for licensure by examination to practice as a registered nurse or licensed practical nurse shall:

(1) submit a completed written application, on forms provided by the Department and fees as established by the Department;

(2) for registered nurse licensure, have completed an approved professional nursing education program of not less than 2 academic years and have graduated from the program; for licensed practical nurse licensure, have completed an approved practical nursing education program of not less than one academic year and have graduated from the program;

(3) have not violated the provisions of Section 10-45 of this Act. The Department may take into consideration any felony conviction of the applicant, but such a conviction shall not operate as an absolute bar to licensure;

(4) meet all other requirements as established by rule;

(5) pay, either to the Department or its designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date at the time and place specified after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service shall result in the forfeiture of the examination fee.

If an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for a license under this Act within 3 years after filing the application, the application

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shall be denied. However, the applicant may make a new application accompanied by the required fee and provide evidence of meeting the requirements in force at the time of the new application.

An applicant who has never been licensed previously in any jurisdiction that utilizes a Department-approved examination and who has taken and failed to pass the examination within 3 years after filing the application must submit proof of successful completion of a Department-authorized nursing education program or recompletion of an approved registered nursing program or licensed practical nursing program, as appropriate, prior to re-application.

An applicant shall have one year from the date of notification of successful completion of the examination to apply to the Department for a license. If an applicant fails to apply within one year, the applicant shall be required to again take and pass the examination unless licensed in another jurisdiction of the United States within one year of passing the examination.

(c) An applicant for licensure who is a registered professional nurse or a licensed practical nurse licensed by examination under the laws of another state or territory of the United States shall:

(1) submit a completed written application, on forms supplied by the Department, and fees as established by the Department;

(2) for registered nurse licensure, have completed an approved professional nursing education program of not less than 2 academic years and have graduated from the program; for licensed practical nurse licensure, have completed an approved practical nursing education program of not less than one academic year and have graduated from the program;

(3) submit verification of licensure status directly from the United States jurisdiction of licensure;

(4) have passed the examination authorized by the Department;

(5) meet all other requirements as established by rule.

(d) All applicants for licensure pursuant to this Section who are graduates of nursing educational programs in a country other than the United States or its territories must submit to the Department certification of successful completion of the Commission of Graduates of Foreign Nursing Schools (CGFNS) examination. An applicant, who is unable to provide appropriate documentation to satisfy CGFNS of her or his educational qualifications for the CGFNS examination, shall be required to pass an examination to test competency in the English language which shall be prescribed by the Department, if the applicant is determined by the Board to be educationally prepared in nursing. The Board shall make appropriate inquiry into the reasons for any adverse determination by CGFNS before making its own decision.

An applicant licensed in another state or territory who is applying for licensure and has received her or his education in a country other than the United States or its territories shall be exempt from the completion of the Commission of Graduates of Foreign Nursing Schools (CGFNS) examination if the applicant meets all of the following requirements:

(1) successful passage of the licensure examination authorized by the Department;

(2) holds an active, unencumbered license in another state; and

(3) has been actively practicing for a minimum of 2 years in another state.

(e) ~~(Blank). No applicant shall be issued a license as a registered nurse or practical nurse under this Section unless he or~~

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~~she--has-passed-the-examination-authorized-by-the-Department-within-3-years-of-completion-and-graduation-from-an-approved-nursing-education-program,-unless-such-applicant-submits-proof-of-successful-completion-of-a-Department-authorized-remedial-nursing-education-program-or-recompletion-of-an-approved-registered-nursing-program-or-licensed-practical-nursing-program,-as-appropriate-~~

(f) Pending the issuance of a license under subsection (b) of this Section, the Department may grant an applicant a temporary license to practice nursing as a registered nurse or as a licensed practical nurse if the Department is satisfied that the applicant holds an active, unencumbered license in good standing in another jurisdiction. If the applicant holds more than one current active license, or one or more active temporary licenses from other jurisdictions, the Department shall not issue a temporary license until it is satisfied that each current active license held by the applicant is unencumbered. The temporary license, which shall be issued no later than 14 working days following receipt by the Department of an application for the temporary license, shall be granted upon the submission of the following to the Department:

(1) a signed and completed application for licensure under subsection (a) of this Section as a registered nurse or a licensed practical nurse;

(2) proof of a current, active license in at least one other jurisdiction and proof that each current active license or temporary license held by the applicant is unencumbered;

(3) a signed and completed application for a temporary license; and

(4) the required permit fee.

(g) The Department may refuse to issue an applicant a temporary license authorized pursuant to this Section if, within 14 working days following its receipt of an application for a temporary license, the Department determines that:

(1) the applicant has been convicted of a crime under the laws of a jurisdiction of the United States: (i) which is a felony; or (ii) which is a misdemeanor directly related to the practice of the profession, within the last 5 years;

(2) within the last 5 years the applicant has had a license or permit related to the practice of nursing revoked, suspended, or placed on probation by another jurisdiction, if at least one of the grounds for revoking, suspending, or placing on probation is the same or substantially equivalent to grounds in Illinois; or

(3) it intends to deny licensure by endorsement.

For purposes of this Section, an "unencumbered license" means a license against which no disciplinary action has been taken or is pending and for which all fees and charges are paid and current.

(h) The Department may revoke a temporary license issued pursuant to this Section if:

(1) it determines that the applicant has been convicted of a crime under the law of any jurisdiction of the United States that is (i) a felony or (ii) a misdemeanor directly related to the practice of the profession, within the last 5 years;

(2) it determines that within the last 5 years the applicant has had a license or permit related to the practice of nursing revoked, suspended, or placed on probation by another jurisdiction, if at least one of the grounds for revoking, suspending, or placing on probation is the same or substantially equivalent to grounds in Illinois; or

(3) it determines that it intends to deny licensure by endorsement.

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A temporary license or renewed temporary license shall expire (i) upon issuance of an Illinois license or (ii) upon notification that the Department intends to deny licensure by endorsement. A temporary license shall expire 6 months from the date of issuance. Further renewal may be granted by the Department in hardship cases, as defined by rule. However, a temporary license shall automatically expire upon issuance of the Illinois license or upon notification that the Department intends to deny licensure, whichever occurs first. No extensions shall be granted beyond the 6-month period unless approved by the Director. Notification by the Department under this Section shall be by certified or registered mail. (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98.)

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Rauschenberger, Senate Bill No. 164 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 164 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Simplified Sales and Use Tax Administration Act.

Section 2. Definitions. As used in this Act:

(a) "Agreement" means the Streamlined Sales and Use Tax Agreement as amended and adopted on January 27, 2001.

(b) "Certified Automated System" means software certified jointly by the states that are signatories to the Agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state, and maintain a record of the transaction.

(c) "Certified Service Provider" means an agent certified jointly by the states that are signatories to the Agreement to perform all of the seller's sales tax functions.

(d) "Person" means an individual, trust, estate, fiduciary, partnership, limited liability company, limited liability partnership, corporation, or any other legal entity.

(e) "Sales tax" means the tax levied under the Service Occupation Tax Act and the Retailers' Occupation Tax Act.

(f) "Seller" means any person making sales, leases, or rentals of personal property or services.

(g) "State" means any state of the United States and the District of Columbia.

(h) "Use tax" means the tax levied under the Use Tax Act and the Service Use Tax Act.

Section 3. Legislative finding. The General Assembly finds that a simplified sales and use tax system will reduce and over time eliminate the burden and cost for all vendors to collect this State's sales and use tax. The General Assembly further finds that this State should participate in multistate discussions to review or amend or both review and amend the terms of the Agreement to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce.

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Section 4. Authority to participate in multistate negotiations. For the purposes of reviewing or amending or both reviewing and amending the Agreement embodying the simplification requirements as contained in Section 7 of this Act, the State shall enter into multistate discussions. For purposes of such discussions, the State shall be represented by 4 delegates. One delegate shall be appointed by the President of the Senate, one by the Minority Leader of the Senate, one by the Speaker of the House of Representatives, and one by the Minority Leader of the House of Representatives.

Section 5. Authority to enter agreement. The Department of Revenue is authorized and directed to enter into the Streamlined Sales and Use Tax Agreement with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and for all types of commerce. In furtherance of the Agreement, the Department of Revenue is authorized to act jointly with other states that are members of the Agreement to establish standards for certification of a certified service provider and certified automated system and establish performance standards for multistate sellers.

The Department of Revenue is further authorized to take other actions reasonably required to implement the provisions set forth in this Act. Other actions authorized by this Section include, but are not limited to, the adoption of rules and regulations and the joint procurement, with other member states, of goods and services in furtherance of the cooperative agreement.

The Director of Revenue or the Director's designee is authorized to represent this State before the other states that are signatories to the Agreement.

Section 6. Relationship to State law. No provision of the Agreement authorized by this Act in whole or part invalidates or amends any provision of the law of this State. Adoption of the Agreement by this State does not amend or modify any law of this State. Implementation of any condition of the Agreement in this State, whether adopted before, at, or after membership of this State in the Agreement, must be by the action of this State.

Section 7. Agreement requirements. The Department of Revenue shall not enter into the Streamlined Sales and Use Tax Agreement unless the Agreement requires each state to abide by the following requirements:

(a) Simplified state rate. The Agreement must set restrictions to limit over time the number of state rates.

(b) Uniform standards. The Agreement must establish uniform standards for the following:

(1) The sourcing of transactions to taxing jurisdictions.

(2) The administration of exempt sales.

(3) Sales and use tax returns and remittances.

(c) Central registration. The Agreement must provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states.

(d) No nexus attribution. The Agreement must provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax.

(e) Local sales and use taxes. The Agreement must provide for reduction of the burdens of complying with local sales and use taxes through the following:

(1) Restricting variances between the State and local tax bases.

(2) Requiring states to administer any sales and use taxes

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levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions.

(3) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes.

(4) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions.

(f) Monetary allowances. The Agreement must outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The Agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2002.

(g) State compliance. The Agreement must require each state to certify compliance with the terms of the Agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the Agreement while a member.

(h) Consumer privacy. The Agreement must require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information.

(i) Advisory councils. The Agreement must provide for the appointment of an advisory council of private sector representatives and an advisory council of non-member state representatives to consult with in the administration of the Agreement.

Section 8. Cooperating sovereigns. The Agreement authorized by this Act is an accord among individual cooperating sovereigns in furtherance of their governmental functions. The Agreement provides a mechanism among the member states to establish and maintain a cooperative, simplified system for the application and administration of sales and use taxes under the duly adopted law of each member state.

Section 9. Limited binding and beneficial effect.

(a) The Agreement authorized by this Act binds and inures only to the benefit of this State and the other member states. No person, other than a member state, is an intended beneficiary of the Agreement. Any benefit to a person other than a state is established by the law of this State and the other member states and not by the terms of the Agreement.

(b) Consistent with subsection (a), no person shall have any cause of action or defense under the Agreement or by virtue of this State's approval of the Agreement. No person may challenge, in any action brought under any provision of law, any action or inaction by any department, agency, or other instrumentality of this State, or any political subdivision of this State on the ground that the action or inaction is inconsistent with the Agreement.

(c) No law of this State, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the Agreement.

Section 10. Seller and third party liability.

(a) A certified service provider is the agent of a seller, with whom the certified service provider has contracted, for the collection and remittance of sales and use taxes. As the seller's agent, the certified service provider is liable for sales and use tax due each member state on all sales transactions it processes for the

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seller except as set out in this Section.

A seller that contracts with a certified service provider is not liable to the State for sales or use tax due on transactions processed by the certified service provider unless the seller misrepresented the type of items it sells or committed fraud. In the absence of probable cause to believe that the seller has committed fraud or made a material misrepresentation, the seller is not subject to audit on the transactions processed by the certified service provider. A seller is subject to audit for transactions not processed by the certified service provider. The member states acting jointly may perform a system check of the seller and review the seller's procedures to determine if the certified service provider's system is functioning properly and the extent to which the seller's transactions are being processed by the certified service provider.

(b) A person that provides a certified automated system is responsible for the proper functioning of that system and is liable to the State for underpayments of tax attributable to errors in the functioning of the certified automated system. A seller that uses a certified automated system remains responsible and is liable to the State for reporting and remitting tax.

(c) A seller that has a proprietary system for determining the amount of tax due on transactions and has signed an agreement establishing a performance standard for that system is liable for the failure of the system to meet the performance standard.

Section 99. Effective date. This Act takes effect upon becoming law."

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Weaver, Senate Bill No. 174 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator O'Malley, Senate Bill No. 187 having been printed, was taken up and read by title a second time.

Floor Amendment No. 1 was held in the Committee on Rules.

There being no further amendments, the bill was ordered to a third reading.

On motion of Senator O'Malley, Senate Bill No. 231 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Roskam, Senate Bill No. 281 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Klemm, Senate Bill No. 285 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Burzynski, Senate Bill No. 289 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Licensed Activities, adopted and ordered printed:

AMENDMENT NO. 1

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AMENDMENT NO. 1. Amend Senate Bill 289 as follows:
by replacing everything after the enacting clause with the following:
"Section 5. The Professional Engineering Practice Act of 1989 is amended by changing Sections 4, 5, 8, 9, 12, 14, 15, 24, and 39 as follows:

(225 ILCS 325/4) (from Ch. 111, par. 5204)

Sec. 4. Definitions. As used in this Act:

(a) "Approved engineering curriculum" means an engineering curriculum or program of 4 academic years or more which meets the standards established by the rules of the Department.

(b) "Board" means the State Board of Professional Engineers of the Department of Professional Regulation, previously known as the Examining Committee.

(c) "Department" means the Department of Professional Regulation.

(d) "Design professional" means an architect, structural engineer or professional engineer practicing in conformance with the Illinois Architecture Practice Act of 1989, the Structural Engineering Practice Act of 1989 or the Professional Engineering Practice Act of 1989.

(e) "Director" means the Director of Professional Regulation.

(f) "Direct supervision/responsible charge" means work prepared under the control of a licensed professional engineer or that work as to which that professional engineer has detailed professional knowledge.

(g) "Engineering college" means a school, college, university, department of a university or other educational institution, reputable and in good standing in accordance with rules prescribed by the Department, and which grants baccalaureate degrees in engineering.

(h) "Engineering system or facility" means a system or facility whose design is based upon the application of the principles of science for the purpose of modification of natural states of being.

(i) "Engineer intern" means a person who is a candidate for licensure as a professional engineer and who has been enrolled as an engineer intern.

(j) "Enrollment" means an action by the Department to record those individuals who have met the Board's requirements for an engineer intern.

(k) "License" means an official document issued by the Department to an individual, a corporation, a partnership, a professional service corporation, a limited liability company, or a sole proprietorship, signifying authority to practice.

(l) "Negligence in the practice of professional engineering" means the failure to exercise that degree of reasonable professional skill, judgment and diligence normally rendered by professional engineers in the practice of professional engineering.

(m) "Professional engineer" means a person licensed under the laws of the State of Illinois to practice professional engineering.

(n) "Professional engineering" means the application of science to the design of engineering systems and facilities using the knowledge, skills, ability and professional judgment developed through professional engineering education, training and experience.

(o) "Professional engineering practice" means the consultation on, conception, investigation, evaluation, planning, and design of, and selection of materials ~~and methods~~ to be used in, administration of construction contracts for, or site observation of, an engineering system or facility, where such consultation, conception, investigation, evaluation, planning, design, selection, administration, or observation requires extensive knowledge of

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engineering laws, formulae, materials, practice, and construction methods. A person shall be construed to practice or offer to practice professional engineering, within the meaning and intent of this Act, who practices, or who, by verbal claim, sign, advertisement, letterhead, card, or any other way, is represented to be a professional engineer, or through the use of the initials "P.E." or the title "engineer" or any of its derivations or some other title implies licensure as a professional engineer, or holds himself out as able to perform any service which is recognized as professional engineering practice.

Examples of the practice of professional engineering include, but need not be limited to, transportation facilities and publicly owned utilities for a region or community, railroads, railways, highways, subways, canals, harbors, river improvements; irrigation works; aircraft, airports and landing fields; waterworks, piping systems and appurtenances, sewers, sewage disposal works; plants for the generation of power; devices for the utilization of power; boilers; refrigeration plants, air conditioning systems and plants; heating systems and plants; plants for the transmission or distribution of power; electrical plants which produce, transmit, distribute, or utilize electrical energy; works for the extraction of minerals from the earth; plants for the refining, alloying or treating of metals; chemical works and industrial plants involving the use of chemicals and chemical processes; plants for the production, conversion, or utilization of nuclear, chemical, or radiant energy; forensic engineering, geotechnical engineering including, subsurface investigations; soil classification, geology and geohydrology, incidental to the practice of professional engineering; energy analysis, environmental design, hazardous waste mitigation and control; recognition, measurement, evaluation and control of environmental systems and emissions; automated building management systems; or the provision of professional engineering site observation of the construction of works and engineering systems. Nothing contained in this Section imposes upon a person licensed under this Act the responsibility for the performance of any of the foregoing functions unless such person specifically contracts to provide it.

(p) "Project representative" means the professional engineer's representative at the project site who assists in the administration of the construction contract.

(q) "Registered" means the same as "licensed" for purposes of this Act.

(r) "Related science curriculum" means a 4 year program of study, the satisfactory completion of which results in a Bachelor of Science degree, and which contains courses from such areas as life, earth, engineering and computer sciences, including but not limited to, physics and chemistry. In the study of these sciences, the objective is to acquire fundamental knowledge about the nature of its phenomena, including quantitative expression, appropriate to particular fields of engineering.

(s) "Rules" means those rules promulgated pursuant to this Act.

(t) "Seal" means the seal in compliance with Section 14 of this Act.

(u) "Site observation" is visitation of the construction site for the purpose of reviewing, as available, the quality and conformance of the work to the technical submissions as they relate to design.

(v) "Support design professional" means a professional engineer practicing in conformance with the Professional Engineering Practice Act of 1989, who provides services to the design professional who has

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contract responsibility.

(w) "Technical submissions" means designs, drawings, and specifications which establish the standard of quality for materials, workmanship, equipment, and the construction systems, studies, and other technical reports prepared in the course of a design professional's practice.

(Source: P.A. 91-91, eff. 1-1-00; 91-92, eff. 1-1-00; revised 10-7-99.)

(225 ILCS 325/5) (from Ch. 111, par. 5205)

Sec. 5. Powers and duties of the Department. Subject to the provisions of this Act, the Department shall exercise the following functions, powers and duties:

(a) To pass upon the qualifications and conduct examinations of applicants for licensure as professional engineers or enrollment as engineer interns and pass upon the qualifications of applicants by endorsement and issue a license or enrollment to those who are found to be fit and qualified.;

(b) To prescribe rules for the method, conduct and grading of the examination of applicants.;

(c) To license corporations, partnerships, professional service corporations, limited liability companies, and sole proprietorships for the practice of professional engineering and issue a license to those who qualify.;

(d) To conduct investigations and hearings regarding violations of this Act and take disciplinary or other actions as provided in this Act as a result of the proceedings.;

(e) To prescribe rules as to what shall constitute an engineering or related science curriculum and to determine if a specific engineering curriculum is in compliance with the rules, and to terminate the approval of a specific engineering curriculum for non-compliance with such rules.;

(f) To promulgate rules required for the administration of this Act, including rules of professional conduct.;

(g) To maintain membership in the National Council of Examiners for Engineering and Surveying and participate in activities of the Council by designation of individuals for the various classifications of membership, the appointment of delegates for attendance at zone and national meetings of the Council, and the funding of the delegates for attendance at the meetings of the Council.;

(h) To obtain written recommendations from the Board regarding qualifications of individuals for licensure and enrollment, definitions of curriculum content and approval of engineering curricula, standards of professional conduct and formal disciplinary actions, and the promulgation of the rules affecting these matters.

Prior to issuance of any final decision or order that deviates from any report or recommendations of the Board relating to the qualification of applicants, discipline of licensees or registrants, or promulgation of rules, the Director shall notify the Board in writing with an explanation of any such deviation and provide a reasonable time for the Board to submit written comments to the Director regarding the proposed action. In the event that the Board fails or declines to submit such written comments within 30 days of said notification, the Director may issue a final decision or orders consistent with the Director's original decision. The Department may at any time seek the expert advice and knowledge of the Board on any matter relating to the enforcement of this Act.

(i) To publish and distribute or to post on the

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Department's website, at least semi-annually, a newsletter to all persons licensed and registered under this Act. The newsletter shall describe the most recent changes in this Act and the rules adopted under this Act and shall contain information of any final disciplinary action that has been ordered under this Act since the date of the last newsletter.

None of the functions, powers or duties enumerated in this Section shall be exercised by the Department except upon the action and report in writing of the Board.

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/8) (from Ch. 111, par. 5208)

Sec. 8. Applications for licensure.

(a) Applications for licensure shall (1) be on forms prescribed and furnished by the Department, (2) contain statements made under oath showing the applicant's education and a detailed summary of the applicant's technical work, and (3) contain references as required by the Department.

(b) Applicants shall have obtained the education and experience as required in Section 10 or Section 11 prior to submittal of application for examination, except as provided in subsection (b) of Section 11. Allowable experience shall commence at the date of the baccalaureate degree, except:

(1) Credit for one year of experience shall be given for a graduate of a baccalaureate curriculum providing a cooperative program, which is supervised industrial or field experience of at least one academic year which alternates with periods of full-time academic training, when such program is certified by the university, or

(2) Partial credit may shall be given for professional engineering experience as defined by rule for employment prior to receipt of a baccalaureate degree if the employment is full-time while the applicant is takes-8-or-more-years-(16-semesters-or-24-quarters-minimum) as a part-time student taking fewer than 12 hours per semester or 8 hours per quarter to earn the degree concurrent with the full-time engineering experience employment.

(3) If an applicant files an application and supporting documents containing a material misstatement of information or a misrepresentation for the purpose of obtaining licensure or enrollment or if an applicant performs any fraud or deceit in taking any examination to qualify for licensure or enrollment under this Act, the Department may issue a rule of intent to deny licensure or enrollment and may conduct a hearing in accordance with Sections 26 through 33 and Sections 37 and 38 of this Act.

The Board may conduct oral interviews of any applicant under Sections 10, 11, or 19 to assist in the evaluation of the qualifications of the applicant.

It is the responsibility of the applicant to supplement the application, when requested by the Board, by provision of additional documentation of education, including transcripts, course content and credentials of the engineering college or college granting related science degrees, or of work experience to permit the Board to determine the qualifications of the applicant. The Department may require an applicant, at the applicant's expense, to have an evaluation of the applicant's education in a foreign country by a nationally recognized educational body approved by the Board in accordance with rules prescribed by the Department.

An applicant who graduated from an engineering program outside the United States or its territories and whose first language is not English shall submit certification of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) as

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defined by rule.

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/9) (from Ch. 111, par. 5209)

Sec. 9. Licensure qualifications; Examinations; Failure or refusal to take examinations. Examinations provided for by this Act shall be conducted under rules prescribed by the Department. Examinations shall be held not less frequently than semi-annually, at times and places prescribed by the Department, of which applicants shall be notified by the Department in writing.

Beginning on or before January 1, 2005, a principles of practice examination in Software Engineering shall be offered to applicants.

Examinations of the applicants who seek to practice professional engineering shall ascertain: (a) if the applicant has an adequate understanding of the basic and engineering sciences, which shall embrace subjects required of candidates for an approved baccalaureate degree in engineering, and (b) if the training and experience of the applicant have provided a background for the application of the basic and engineering sciences to the solution of engineering problems. The Department may by rule prescribe additional subjects for examination. If an applicant neglects, fails without an approved excuse, or refuses to take the next available examination offered for licensure under this Act within 3 years after filing the application, the fee paid by the applicant shall be forfeited and the application denied. If an applicant fails to pass an examination for licensure under this Act within 3 years after filing the application, the application shall be denied. However, such applicant may thereafter make a new application for examination, accompanied by the required fee.

(Source: P.A. 88-595, eff. 8-26-94.)

(225 ILCS 325/12) (from Ch. 111, par. 5212)

Sec. 12. Educational credits or teaching as equivalent of experience.

(a) After earning an acceptable baccalaureate degree as required by subsection (a) or (b) of Section 10 in engineering or related science and upon completion of a Master's degree in engineering, the applicant may receive one year of experience credit. Upon completion of a Ph.D. in engineering, an applicant may receive an additional year experience credit for a maximum of 2 years.

(b) Teaching engineering subjects in an engineering college at a rank of instructor or above is considered experience in engineering.

(c) (Blank).

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/14) (from Ch. 111, par. 5214)

Sec. 14. Seal. Every professional engineer shall have a seal or stamp, the print of which shall be reproducible and contain the name of the professional engineer, the professional engineer's license number, and the words "Licensed Professional Engineer of Illinois". Any reproducible stamp heretofore authorized under the laws of this state for use by a professional engineer, including those with the words "Registered Professional Engineer of Illinois", shall serve the same purpose as the seal provided for by this Act. When technical submissions are prepared utilizing a computer or other electronic means, the seal may be generated by the computer. Signatures generated by computer shall not be permitted.

~~The professional engineer who has contract responsibility shall seal a cover sheet of the technical submissions, and those individual portions of the technical submissions for which the professional engineer is legally and professionally responsible. The professional engineer practicing as the support design professional shall seal those individual portions of technical submissions for which the~~

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~~professional engineer is legally and professionally responsible.~~

The use of a professional engineer's seal on technical submissions constitutes a representation by the professional engineer that the work has been prepared by or under the personal supervision of the professional engineer or developed in conjunction with the use of accepted engineering standards. The use of the seal further represents that the work has been prepared and administered in accordance with the standards of reasonable professional skill and diligence.

It is unlawful to affix one's seal to technical submissions if it masks the true identity of the person who actually exercised direction, control and supervision of the preparation of such work. A professional engineer who seals and signs technical submissions is not responsible for damage caused by subsequent changes to or uses of those technical submissions, where the subsequent changes or uses, including changes or uses made by State or local governmental agencies, are not authorized or approved by the professional engineer who originally sealed and signed the technical submissions.

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/15) (from Ch. 111, par. 5215)

Sec. 15. Technical submissions. All technical submissions prepared by or under the personal supervision of a professional engineer shall bear that professional engineer's seal, signature, and license expiration date. The licensee's written signature and date of signing, along with the date of license expiration, shall be placed adjacent to the seal. Computer generated signatures are not permitted.

The professional engineer who has contract responsibility shall seal a cover sheet of the technical submissions, and those individual portions of the technical submissions for which the professional engineer is legally and professionally responsible. The professional engineer practicing as the support design professional shall seal those individual portions of technical submissions for which the professional engineer is legally and professionally responsible.

All technical submissions intended for use in construction in the State of Illinois shall be prepared and administered in accordance with standards of reasonable professional skill and diligence. Care shall be taken to reflect the requirements of State statutes and, where applicable, county and municipal ordinances in such documents. In recognition that professional engineers are licensed for the protection of the public health, safety and welfare, documents shall be of such quality and scope, and be so administered as to conform to professional standards.

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/24) (from Ch. 111, par. 5224)

Sec. 24. Rules of professional conduct; disciplinary or administrative action.

(a) The Department shall adopt rules setting standards of professional conduct and establish appropriate penalty for the breach of such rules.

(a-1) The Department may, singularly or in combination, refuse to issue, restore, or renew a license or registration, revoke or suspend a license or registration, or place on probation, reprimand, or impose a civil penalty not to exceed \$10,000 upon any person, corporation, partnership, or professional design firm licensed or registered under this Act for any one or combination of the following:

(1) Material misstatement in furnishing information to the Department.

(2) Failure to comply with any provisions of this Act or

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any of its rules.

(3) Conviction of any crime under the laws of the United States, or any state or territory thereof, which is a felony, whether related to practice or not, or conviction of any crime, whether a felony, misdemeanor, or otherwise, an essential element of which is dishonesty or which is directly related to the practice of engineering.

(4) Making any misrepresentation for the purpose of obtaining licensure, or in applying for restoration or renewal; or practice of any fraud or deceit in taking any examination to qualify for licensure under this Act.

(5) Purposefully making false statements or signing false statements, certificates, or affidavits to induce payment.

(6) Negligence, incompetence or misconduct in the practice of professional engineering as a licensed professional engineer or in working as an engineer intern.

(7) Aiding or assisting another person in violating any provision of this Act or its rules.

(8) Failing to provide information in response to a written request made by the Department within 30 days after receipt of such written request.

(9) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public.

(10) Habitual intoxication or addiction to the use of drugs.

(11) Discipline by the United States Government, another state, District of Columbia, territory, foreign nation or government agency, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(12) Directly or indirectly giving to or receiving from any person, firm, corporation, partnership or association any fee, commission, rebate or other form of compensation for any professional services not actually or personally rendered.

(13) A finding by the Board that an applicant or registrant has failed to pay a fine imposed by the Department, a registrant whose license has been placed on probationary status has violated the terms of probation, or a registrant has practiced on an expired, inactive, suspended, or revoked license.

(14) Signing, affixing the professional engineer's seal or permitting the professional engineer's seal to be affixed to any technical submissions not prepared as required by Section 14 or completely reviewed by the professional engineer or under the professional engineer's direct supervision.

(15) Physical illness, including but not limited to deterioration through the aging process or loss of motor skill, which results in the inability to practice the profession with reasonable judgment, skill or safety.

(16) The making of a statement pursuant to the Environmental Barriers Act that a plan for construction or alteration of a public facility or for construction of a multi-story housing unit is in compliance with the Environmental Barriers Act when such plan is not in compliance.

(17) Failing to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest as required by a tax Act administered by the Illinois Department of Revenue, until such time as the requirements of any such tax Act are satisfied.

(a-5) In enforcing this Section, the Board upon a showing of a

possible violation may compel a person licensed to practice under this Act, or who has applied for licensure or certification pursuant to this Act, to submit to a mental or physical examination, or both, as required by and at the expense of the Department. The examining physicians shall be those specifically designated by the Board. The Board or the Department may order the examining physician to present testimony concerning this mental or physical examination of the licensee or applicant. No information shall be excluded by reason of any common law or statutory privilege relating to communications between the licensee or applicant and the examining physician. The person to be examined may have, at his or her own expense, another physician of his or her choice present during all aspects of the examination. Failure of any person to submit to a mental or physical examination, when directed, shall be grounds for suspension of a license until the person submits to the examination if the Board finds, after notice and hearing, that the refusal to submit to the examination was without reasonable cause.

If the Board finds a person unable to practice because of the reasons set forth in this Section, the Board may require that person to submit to care, counseling, or treatment by physicians approved or designated by the Board as a condition, term, or restriction for continued, reinstated, or renewed licensure to practice; or, in lieu of care, counseling, or treatment, the Board may recommend to the Department to file a complaint to immediately suspend, revoke, or otherwise discipline the license of the person. Any person whose license was granted, continued, reinstated, renewed, disciplined, or supervised subject to such terms, conditions, or restrictions and who fails to comply with such terms, conditions, or restrictions shall be referred to the Director for a determination as to whether the person shall have his or her license suspended immediately, pending a hearing by the Board.

(b) The determination by a circuit court that a registrant is subject to involuntary admission or judicial admission as provided in the Mental Health and Developmental Disabilities Code, as now or hereafter amended, operates as an automatic suspension. Such suspension will end only upon a finding by a court that the patient is no longer subject to involuntary admission or judicial admission, the issuance of an order so finding and discharging the patient, and the recommendation of the Board to the Director that the registrant be allowed to resume practice.

(Source: P.A. 91-92, eff. 1-1-00.)

(225 ILCS 325/39) (from Ch. 111, par. 5239)

Sec. 39. Violations.

(a) Using or attempting to use an expired license or registration is a Class A misdemeanor.

(b) Each of the following acts is a Class A misdemeanor for the first offense and a Class 4 Felony for a second or subsequent offense:

(1) A violation of any provision of this Act or its rules, except as noted in subsection (a) or (c) of this Section;

(2) The making of any wilfully false oath or affirmation in any matter or proceeding where an oath or affirmation is required by this Act;

(3) Using or attempting to use an inactive, suspended, or revoked license or the license or seal of another, or impersonating another licensee, or practicing professional engineering while one's license is inactive, suspended, or revoked;

(4) The practice, attempt to practice, or offer to practice professional engineering without a license as a licensed

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professional engineer, with each day of practicing professional engineering, or attempting to practice professional engineering, and each instance of offering to practice professional engineering without a license as a licensed professional engineer constituting a separate offense;

(5) Advertising or displaying any sign or card or other device which might indicate to the public that the person or entity is entitled to practice as a professional engineer, or using the initials "P.E.", or using the title "engineer" or any of its derivations, unless such person holds an active license as a professional engineer in the State of Illinois, or such professional service corporation, corporation, partnership, sole proprietorship, professional design firm, limited liability company, or other entity is in compliance with Section 23 of this Act; or

(6) Obtaining or attempting to obtain a license by fraud.

(c) A violation of paragraphs (3), (6), (10), (11), (15), or (17) of subsection (a-1) {a} of Section 24 is not subject to the penalty provisions of this Section.

(Source: P.A. 88-428; 88-595, eff. 8-26-94; 89-61, eff. 6-30-95)".

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Munoz, Senate Bill No. 368 having been printed, was taken up and read by title a second time.

The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1

AMENDMENT NO. 1. Amend Senate Bill 368 by replacing everything after the enacting clause with the following:

"Section 5. The Credit Card Liability Act is amended by changing the title of the Act and Sections 0.01, 1, and 2 as follows:

(815 ILCS 145/Act title)

An Act defining and limiting the liability of persons in whose names credit cards and debit cards are issued.

(815 ILCS 145/0.01) (from Ch. 17, par. 6100)

Sec. 0.01. Short title. This Act may be cited as the Credit Card and Debit Card Liability Act.

(Source: P.A. 86-1324.)

(815 ILCS 145/1) (from Ch. 17, par. 6101)

Sec. 1. Unsolicited cards; liability.

(a) No person in whose name a credit card or debit card is issued without his having requested or applied for the card or for the extension of the credit or establishment of a charge account or other account which that card evidences is liable to the issuer of the card for any purchases made or other amounts owing by a use of that card from which he or a member of his family or household derive no benefit unless he has indicated his acceptance of the card by signing or using the card or by permitting or authorizing use of the card by another. A mere failure to destroy or return an unsolicited card is not such an indication. As used in this Act, "credit card" and "debit card" have has the meanings meaning ascribed to those terms it-in-Section-2-03-of the Illinois Credit Card and Debit Card Act, except that the terms do it-dees not include a card issued by any telephone company that is subject to supervision or regulation by the Illinois Commerce Commission or other public authority.

(b) When an action is brought by an issuer against the person

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named on the card, the burden of proving the request, application, authorization, permission, use or benefit as set forth in Section 1 hereof shall be upon plaintiff if put in issue by defendant. In the event of judgment for defendant, the court shall allow defendant a reasonable attorney's fee, to be taxed as costs.

(Source: P.A. 78-777.)

(815 ILCS 145/2) (from Ch. 17, par. 6102)

Sec. 2. Requested or accepted cards; liability.

(a) Notwithstanding that a person in whose name a credit card or debit card has been issued has requested or applied for such card or has indicated his acceptance of an unsolicited credit card or debit card, as provided in Section 1 hereof, such person shall not be liable to the issuer unless the card issuer has given notice to such person of his potential liability, on the card or within 2 ~~two~~ years preceding such use, and has provided such person with an addressed notification requiring no postage to be paid by such person which may be mailed in the event of the loss, theft, or possible unauthorized use of the credit card or debit card, and such person shall not be liable for any amount in excess of the applicable amount hereinafter set forth, resulting from unauthorized use of that card prior to notification to the card issuer of the loss, theft, or possible unauthorized use of that card:

Card without a signature panel.....\$25.00

Card with a signature panel.....\$50.00

After the holder of the credit card or debit card gives notice to the issuer that a credit card or debit card is lost or stolen he is not liable for any amount resulting from unauthorized use of the card.

(b) When an action is brought by an issuer against the person named on a card, issuance of which has been requested, applied for, solicited or accepted and defendant puts in issue any transaction arising from the use of such card, the burden of proving benefit, authorization, use, or permission by defendant as to such transaction shall be upon plaintiff. In the event defendant prevails with respect to any transaction so put in issue, the court may enter as a credit against any judgment for plaintiff, or as a judgment for defendant, a reasonable attorney's fee for services in connection with the transaction in respect of which the defendant prevails.

(Source: P.A. 77-1637.)".

Floor Amendment No. 2 was filed earlier today and referred to the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1, was ordered engrossed; and the bill, as amended, was ordered to a third reading.

On motion of Senator Rauschenberger, Senate Bill No. 371 having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, Senate Bill No. 305 having been printed, was taken up, read by title a second time and ordered to a third reading.

READING A BILL OF THE SENATE A THIRD TIME

On motion of Senator Link, Senate Bill No. 325, having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote: Yeas 57; Nays None.

The following voted in the affirmative:

Bomke
Bowles
Burzynski
Clayborne
Cronin
Cullerton
DeLeo
del Valle
Demuzio
Dillard
Donahue
Dudycz
Geo-Karis
Halvorson
Hawkinson
Hendon
Jacobs
Jones, E.
Jones, W.
Karpiel
Klemm
Lauzen
Lightford
Link
Luechtefeld
Madigan, L.
Madigan, R.
Mahar
Molaro
Munoz
Myers
Noland
Obama
O'Daniel
O'Malley
Parker
Peterson
Petka
Radogno
Rauschenberger
Ronen
Roskam
Shadid
Shaw
Sieben
Silverstein
Sullivan
Syverson
Trotter
Viverito
Walsh, L.
Walsh, T.
Watson
Weaver
Welch

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Woolard
Mr. President

This bill, having received the vote of a constitutional majority of the members elected, was declared passed, and all amendments not adopted were tabled pursuant to Senate Rule No. 5-4(a).

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 69

Offered by Senator O'Malley and all Senators:
Mourns the death of Kenneth R. Jillson of Oak Lawn.

The foregoing resolution was referred to the Resolutions Consent Calendar.

At the hour of 1:30 o'clock p.m., on motion of Senator W. Jones, the Senate stood adjourned until Wednesday, March 7, 2001 at 1:00 o'clock p.m.

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